

VZCZCXR05883
RR RUEHMA RUEHPA
DE RUEHNMM #0031 0271054
ZNR UUUUU ZZH
R 271054Z JAN 09
FM AMEMBASSY NIAMEY
TO RUEHC/SECSTATE WASHDC 4817
INFO RUEHZK/ECOWAS COLLECTIVE
RUEHLMC/MCC WASHDC
RUEHFR/AMEMBASSY PARIS 0773

UNCLAS NIAMEY 000031

DEPT FOR AF/W DENNISON, AF/RSA, DRL/AE, AND AF/PDPA LISENBY

SIPDIS

E.O. 12958: N/A

TAGS: PGOV PHUM SOCI KCOR KPAO NG

SUBJECT: Niger: Latest Arrest of a Journalist Reflects No Change of Environment for the Media in 2009

REF: 08 Niamey 1095

¶1. SUMMARY: On January 23, Nigerien Judicial Police arrested Boussada Ben Ali, publication director for independent weekly newspaper "L'Action" following a complaint lodged by Minister of the Economy and Finance Mahamane Ali Lamine Zeine.

¶2. Police arrested Boussada for allegedly "divulgng information likely to undermine public order." The charge stems from an article published in the January 13, 2009 edition of "L'Action," which openly questioned the minister's awarding of a contract for the procurement of medical equipment. The same article also reported that the minister had inappropriately diverted FCFA 127 billion (approximately \$257 million) from an oil agreement between Niger and China.

¶3. On January 17, the High Council for Communications - Niger's media regulatory body - summoned Ben Ali - to view a video on the matter that the regulatory body said was evidence against his claim.

The High Council ordered him to retract the story about the minister, but he refused.

¶4. The Judicial Tribunal of Niamey arraigned Ben Ali and remanded him to prison on January 26. His trial is scheduled to begin on January 27, 2009.

¶5. Comment: Ben Ali's case is the latest arrest of a journalist by GON authorities under Niger's criminal libel statutes (reftel).

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